

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

NOBLE CAPITAL FUND	§	NO. 1:20-CV-1247-DAE
MANAGEMENT, LLC, TXPLCFQ,	§	
LLC, and TXPLCFNQ, LLC,	§	
<i>Plaintiffs,</i>	§	
	§	
vs.	§	
	§	
US CAPITAL PARTNERS, INC.,	§	
JEFFREY SWEENEY, CHARLES	§	
TOWLE, PATRICK STEELE, AND US	§	
CAPITAL GLOBAL INVESTMENT	§	
MANAGEMENT LLC, F/K/A US	§	
CAPITAL	§	
INVESTMENT MANAGEMENT, LLC,	§	
<i>Defendants.</i>	§	
_____	§	

US CAPITAL GLOBAL	§	NO. 1:22-CV-626-DAE
INVESTMENT MANAGEMENT LLC,	§	
f/k/a US CAPITAL INVESTMENT	§	
MANAGEMENT, LLC, a limited	§	
liability company, and US CAPITAL	§	
PARTNERS INC., a corporation.	§	
<i>Plaintiffs,</i>	§	
	§	
vs.	§	
	§	
NOBLE CAPITAL GROUP, LLC, and	§	
NOBLE CAPITAL FUND	§	
MANAGEMENT, LLC.,	§	
<i>Defendants.</i>	§	
_____	§	

NOBLE CAPITAL TEXAS REAL	§	NO. 1:22-CV-652-DAE
ESTATE INCOME FUND LP,	§	
<i>Plaintiffs,</i>	§	
	§	
vs.	§	
JADON NEWMAN, CHRIS	§	
RAGLAND, ROMNEY NAVARRO,	§	
GRADY COLLINS, JADON	§	
NEWMAN (AS TRUSTEE FOR JFN	§	
GRANTOR TRUST), RAGLAND	§	
HOLDINGS, LLC, NOBLE CAPITAL	§	
GROUP, LLC, NOBLE CAPITAL	§	
FUND MANAGEMENT, LLC,	§	
NOBLE CAPITAL PROPERTIES,	§	
LLC, NOBLE CAPITAL SERVICING,	§	
LLC, NOBLE CAPITAL REAL	§	
ESTATE, LLC (F/K/A EMERGE	§	
REAL ESTATE GROUP, LLC),	§	
STREAMLINE FUNDING GROUP,	§	
LLC, NOBLE CAPITAL REO, LLC,	§	
NOBLE CAPITAL INCOME FUND II,	§	
LLC, NOBLE CAPITAL INCOME	§	
FUND III, LLC AND DOES 1-50,	§	
<i>Defendants.</i>	§	
	§	

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# ORDER GRANTING MOTION TO CONSOLIDATE ACTIONS

Before the Court are four Motions to Consolidate: the Parties’ Joint Motion to Consolidate Related Cases and Joint Continuance Request in 1:22-cv-626-DAE (the “626 Action”) (Dkt. # 46), Defendant US Capital Global Investment Management, LLC’s Motion to Consolidate in 1:20-cv-1247-DAE (the “1247 Action”) (Dkt. # 147), and Plaintiff US Capital/Noble Capital Texas Real Estate Income Fund’s Motion Consolidate in 1:22-cv-00652-DAE (the “652 Action”)

(Dkt. # 32). The same counsel represents the opposing parties in all three cases.

At first, the Motions to Consolidate were opposed. However, on July 17, 2024, the Parties filed a Joint Motion to Consolidate the Related Cases, stating that “all Plaintiffs in Defendants” in all three suits “stipulate and agree that cases should be consolidated[.]” (Dkt. # 46, at 2.)

Federal Rule of Civil Procedure 42 provides that if actions “involve a common question of law or fact,” the court may “consolidate the actions” or “issue any other order to avoid unnecessary cost or delay.” Fed. R. Civ. P. 42(a). The decision to consolidate actions under Rule 42(a) is “entirely within the discretion of the district court as it seeks to promote the administration of justice.” Gentry v. Smith, 487 F.2d 571, 581 (5th Cir. 1973).

All three cases involve a dispute between the Parties over the creation, operation, and dissolution of a joint real estate fund. Additionally, consolidating the three cases will avoid unnecessary cost and delay for the same counsel and same related parties to re-litigate similar issues in three separate actions.

In sum, because the three cases involve common questions of law and fact and involve the same parties, the Court **ORDERS** that the cases be consolidated to avoid unnecessary cost, delay, or duplicative actions, and to promote the fair and orderly administration of justice. Accordingly, the Court hereby **GRANTS** all Motions to Consolidate (Dkts. ## 46, 137, 32.). The Court

**MOOTS** Plaintiff's previous opposed motion to consolidate in the 626 Action.  
(Dkt. # 44.)

The Court designates No. 1:20-cv-1247 as the **LEAD CASE** and directs the parties to make any and all subsequent filings in the lead case. Case No. 1:22-cv-626-DAE (Dkt. # 46) and Case No. 1:22-cv-00652-DAE (Dkt. # 32) shall be **CLOSED**. Any pending motions in the 626 Action and the 652 Action shall be **DISMISSED WITHOUT PREJUDICE** and re-filed in the lead case. The Court **ORDERS** the parties to submit a Proposed Joint Scheduling Order to govern the consolidated lawsuit by Monday, July 29, 2024.

**IT IS SO ORDERED.**

**DATED:** Austin, Texas, July 22, 2024.

A handwritten signature in blue ink, appearing to read 'David Alan Ezra', is written over a faint circular stamp.

David Alan Ezra  
Senior United States District Judge